# Anno Regni
# CAROLI II.
## REGIS
*Angliæ, Scotiæ, Franciæ, & Hiberniæ,*
DUODECIMO.

## At the Parliament begun
at *Westminster*, the 25th day of *April*, *Anno Domini*, 1660.

## In the Twelfth Year of
the Reign of our most Gracious Soveraign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c.

LONDON,
Printed by *John Macock*, and *Francis Tyton*, Printers to the House of Peers, 1660.

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# ANNO XII.

# Caroli II. Regis.

## An Act for the continuance of *Proceſs* and *Judicial Proceedings*.

Whereas the four firſt Returns of Eaſter Term, in the Year 1660. of late called, from Eaſter day in fifteen days, from Eaſter day in three Weeks, from Eaſter day in one moneth, and from Eaſter day in five Weeks, or any of them, cannot be conveniently kept or holden: Now for avoiding all manner of diſcontinuances Whatſoever, Which by occaſion thereof ſhould or might happen, or be in any matter or Cauſe Whatſoever, in any the Courts at Weſtminſter: Be it Enacted by the Kings Moſt Excellent Majeſty, and the Lords and

Commons Assembled in Parliament, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Procels, Precepts, or other thing or things whatsoever, Pleaded, Returned, or Depending, or having day or days in any of the said Courts, in or at the said several Returns, or any of them, or at any other day or days certain after any of the said Returns, shall be in any Wise discontinued, or put Without day, for or by reason of the not keeping or holding of the said Returns, or days, or any of them; but that all and singular the said Pleas, Writs, Bills, Actions, Suits, Plaints, Procels, Precepts, and other the Premises aforesaid, shall stand, continue, and be good and effectual in Law, to all Intents and Purposes, as if the said Returns and days, and every of them, had been actually kept and holden in all and every the said Courts; any Law, Statute, Custom, or Usage to the contrary thereof in any Wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Procels, Precepts, and other thing or things whatsoever aforesaid, pleadable, or to be pleaded, Returnable, or to be Returned, or having day in any manner whatsoever at any of the said Returns, or any day or days certain after any of the said Returns, be and are hereby continued and adjourned, unto (and shall or may be Pleaded, Returned, Heard, and Determined in the Respective Courts aforesaid) at, or on the fifth Return of the said Term, of late called, In the morrow of the Ascension of our Lord, And that all Parties in any Pleas, Writs,

Writs, Bills, Actions, Suits, Plaints, Pro-
cels, or other thing or things whatsoever,
having dates given them at any of the said four
first Returns, or at any other day or dayes
certain, after any of the said Returns in the
said Courts, or any of them, by virtue of this
present Act, have the said Return of late called,
In the morrow of the Ascension of our Lord,
prefixed them therein; And that all Sheriffs,
Officers, and other Ministers whatsoever, and
every of them respectively, keep in their hands
all Writs, Bills, Procels and Precepts, and all
other things whatsoever to them directed respe-
ctively Returnable, or to be Returned in the se-
veral Courts aforesaid, at the said four first
Returns, or any of them, in or at any day cer-
tain, as aforesaid, until the said fifth Return, of
late called, The morrow of the Ascension of our
Lord, and then Return the same into the said se-
veral Courts respectively, That such proceed-
ings may be then had thereupon, as should have
been had, in case the said four first Returns
had been kept and holden.

And be it further Enacted by the Authority
aforesaid, That no Writs, Procels, Plaints,
Pleas, Informations, Indictments, or Judi-
cial Proceedings, had, Commenced, or Prosecu-
ted before the fifth day of May, in the said Year of
our Lord 1660. in the Name, Stile, Title or
Test of Custodes Libertatis Angliæ Authoritate
Parliamenti; or in the Name, Stile, Title, or
Test of The Keepers of the Liberty of England by
Authority of Parliament; or in the Name, Stile,
Title or Test of *Oliver* Lord Protector of the Com-

monwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereto belonging; **or in the Name, Stile, Title, or Teſt of** *Oliver* Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Territories thereunto belonging; **or in the Name, Stile, Title, or Teſt of** *Richard* Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Territories thereto belonging, **ſhall be put Without day, abated, quaſhed, or diſcontinued by his Majeſties moſt juſt re-aſſumption of the actual Exercise of his Kingly Government in this Kingdom; nor ſhall the ſame be cauſe of Error, Abatement, or Diſcontinuance, but that all ſuch Writs, Proceſs, Plaints, Pleas, Informations, Indictments, and Judicial Proceedings, and all Commiſſions for taking of Anſwers, or Examination of Witneſſes, Commiſſion for taking of Fines, and Warrants of Attorney, Guardians, or Prochemany, ſhall ſtand and be continued, and ſhall and may be proceeded upon, proſecuted, and returned; notwithſtanding the ſame were commenced or proſecuted in Engliſh, and notwithſtanding the preſent happy Change and Reſtitution of his Majeſties Name and Stile in Judicial Proceedings.**

**And be it further Enacted by the Authority aforeſaid, That one pretended Act made in the Year of our Lord, 1650. Entituled,** An Act for turning the Books of the Law, and all Proceſs and Proceedings in Courts of Juſtice, into Engliſh, **ſhall ſtand and be in force, as if the ſame had been a good and effectual Act, from the firſt Return of Eaſter Term, in the Year of our Lord**

1651. until the first day of August, in the Year of our Lord 1660. and no longer. And whereas by one other pretended Act, made in the said Year of our Lord 1650. Entituled, An Act touching Corn and Meal, It was Enacted, or mentioned to be Enacted, That from and after the 20th day of November, 1650. It should and might be lawful to and for any Person or Persons, Defendant or Tenant, for or by reason of any matter to be Pleaded, set forth, or alledged in Bar to any Action Real, Personal, or mixt in any Court of Record, to plead the General Issue of Not Guilty, or the like General Issue proper to the Nature of the Action or Suit Commenced; and for his or their Discharge or Acquitting to give any such matter in evidence to the Jury that shall try the same, And that the said matter shall be as available to such person or persons Defendant or Tenant to all intents and purposes, as if the said matter had been specially pleaded, set forth, or alledged in Barr of such Action.

Be it further Enacted, That the said pretended Act, as touching the pleading of the general Issue, shall by Authority hereof, stand and be in full force and effect according to the Tenor thereof, until the said first day of August, as if the same had been a good and effectual Act of Parliament, and no longer.

Provided allwaies, That where the general Issue hath been since the said 20th day of November 1650. pleaded, or shall before the said first day of August in the said Year of our Lord 1660. be pleaded in any Action, That then upon the Tryal of the said Cause, such Evidence

shall and may be allowed as if the said pretended Act touching the pleading of the General Issue had been and continued a good and effectual Act of Parliament not determined or discontinued.

Provided also, That his Majesties Royal Assent to the passing of this Bill, shall not extend, or be construed to extend to the determining of the Session of this present Parliament.

Provided nevertheless, and be it Enacted, That all Writs, Patents, and Commissions for Constituting Justices of either Bench, and Barons of the Exchequer, Commissions of Oyer and Terminer and Goal Delivery, and Precepts upon Commissions of Oyer and Terminer and Goal Delivery, and all other Commissions hereafter to be made by the Clerk of the Crown in the Chancery, Charters, and Letters Patens under the Great Seal, of Lands, Liberties, Honours, or Offices, do or may Issue in the Kings Majesties Name, in the same manner as was usual before the making of the said first recited pretended Act, any thing in this present Act to the contrary thereof before expressed, in any wise notwithstanding.

Imprinted at LONDON by
*John Macock* and *Francis Tyton*,
Printers to the Houſe of PEERS.

Anno Domini 1660.